

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DANIEL DICLEMENTI,
Plaintiff,

v.

USAA FEDERAL SAVINGS BANK,
Defendant.

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CASE NO: 5:17-cv-01271-FB

STIPULATION OF DISMISSAL

Plaintiff files this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Daniel Diclementi; Defendant is USAA Federal Savings Bank.
2. On May 1, 2017, Plaintiff sued Defendants in Denton County Court at Law #2 in Denton County, Texas. On July 7, 2017, Defendant Viking Client Services filed a Notice of Removal from Denton County Court at Law #2 to the U.S. District Court, Eastern District of Texas, Sherman Division. On December 14, 2017, the U.S. District Judge transferred the case to the U.S. District Court, Western District of Texas, San Antonio Division. On January 12, 2018, Plaintiff, dismissed only Defendants Viking Client Services, Inc. and Client Services, Inc.
3. Plaintiff moves to dismiss the suit.
4. Defendant, USAA Federal Savings Bank has served an answer and agrees to the dismissal.
5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.
8. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
9. This dismissal is with prejudice.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFF

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Attorney for Defendant USAA Federal Savings Bank

CERTIFICATE OF SERVICE

This is to certify that on the 30th day of May 2018, I electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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